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7 Attorneys for Defendants
8 UNUM GROUP (previously known as
9 UNUMPROVIDENT CORPORATION),
10 THE PAUL REVERE LIFE INSURANCE COMPANY,
and NEW YORK LIFE INSURANCE COMPANY

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13
14 LEWIS G. SHEPLER II, M.D.

15 Plaintiff,

16 vs.

17 UNUMPROVIDENT CORPORATION; THE
18 PAUL REVERE LIFE INSURANCE
COMPANY and UNUM GROUP, inclusive,

19 Defendant.

) Case No.: C08-00240 MEJ

) STIPULATION RE EXTENSION OF
) TIME TO RESPOND TO PLAINTIFF'S
) COMPLAINT; ~~PROPOSED ORDER~~

Pursuant to Northern District Local Rule 6-1(a), the parties, plaintiff Lewis G. Shepler II, M.D. and defendants Unum Group (previously known as UnumProvident Corporation), The Paul Revere Life Insurance Company, and New York Life Insurance Company ("defendants"), hereby stipulate that defendants shall have an extension to respond to the Complaint up to and including December 16, 2010.

IT IS SO STIPULATED.

KNOX RICKSEN, LLP

Dated: October 7, 2010

By _____/s/_____
Thomas E. Fraysse
Attorney for Plaintiff
LEWIS G. SHEPLER II, M.D.

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP


Dated: October 7, 2010

By _____/s/_____
Thomas M. Herlihy
John T. Burnite
Attorney for Defendants
UNUM GROUP (Previously known as
UNUMPROVIDENT CORPORATION),
THE PAUL REVERE LIFE INSURANCE
COMPANY and NEW YORK LIFE
INSURANCE COMPANY

ORDER

IT IS SO ORDERED that defendants have up to and including December 16, 2010 to respond to plaintiff's complaint.

Date: October 7, 2010


UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

Lewis G. Shepler II, M.D. v. Unumprovident Corporation, et al.
U.S.D.C. Case No, C08-00240 MEJ

At the time of service I was over 18 years of age and not a party to this action. I am employed by WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP. My business address is 525 Market Street, 17th Floor, San Francisco, California 94105. My business telephone number is (415) 433-0990; my business fax number is (415) 434-1370. On this date I served the following document(s):

STIPULATION RE EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT

on the person or persons listed below, through their respective attorneys of record in this action, by placing true copies thereof in sealed envelopes or packages addressed as shown below by the following means of service:

- ☐: **By United States Mail.** I placed the envelopes for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- ☐: **By Overnight Delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and address to the persons at the addresses below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- ☐: **By Messenger Service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and provided them to a professional messenger service for service.
- ☐: **By Fax Transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which was printed out, is attached.
- ☒: **By Electronic Service.** Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed below.

Thomas E. Fraysee, Esq.

Attorneys for Plaintiff

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Facsimile: (510) 285-2505

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED October 7, 2010, at San Francisco, California.


Pamela A. Moran